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In re Application of :
KHOURI et al. :
Serial No.: 10/591,113 : DECISION ON
PCT No.: PCT/US04/21061 :
Int. Filing Date: 29 June 2004 : PETITION UNDER
Priority Date: 04 March 2004 :
Attorney's Docket No.: 061300-1011 : 37 CFR 1.47(a)
For: MIXING DRUM :

This is a decision on applicants' "Request To Withdraw Petition under 37 CFR 1.47(a)", filed on 11 March 2008 and "Petition Under 37 CFR 1.47(a)" filed on 01 October 2007 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 31 August 2006, within the thirty month period, applicant filed a Transmittal Letter requesting entry into the national stage in the United States of America under 35 U.S.C. § 371 with, *inter alia*, the requisite basic national fee.

On 30 April 2007, a Notification of Missing Requirements was mailed to applicant indicating that the oath or declaration, in compliance with 37 CFR 1.497(a) and (b) identifying the international application number and international filing date, was required.

On 01 October 2007, in response to the Notification of Missing Requirements, applicant filed declarations executed by the joint inventors and a petition under 37 CFR 1.47(a) for nonsigning inventor William Tippins.

On 11 March 2008, prior to a decision on applicant's petition under 37 CFR 1.47(a), applicant filed a "Request To Withdraw Petition under 37 CFR 1.47(a)" along with a declaration executed by William Tippins.

DISCUSSION

Petitioner has now presented the declaration signed by inventor William Tippins. A review of the declarations reveals that the declarations identify and are executed by all the inventors named in the international application. The declarations state the residency, citizenship and mailing address of each inventor.

The petition under 37 CFR 1.47(a) is considered moot as declaration executed by the previously unavailable inventor has now been submitted. The declarations are acceptable under 37 CFR 1.497(a) and (b).

CONCLUSION

For the above reasons, the petition under 37 CFR 1.47(a) is **DISMISSED AS MOOT**. Applicant's Request To Withdraw Petition under 37 CFR 1.47(a) is Granted.

The declarations executed by the joint inventors and submitted on 01 October 2007 and 11 March 2008, are in compliance with 37 CFR 1.497(a) and (b) and are acceptable.

This application is being forwarded to United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date is **11 March 2008**.



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